

Thurston County, Washington  
McAllister Geologically Sensitive Area District, Llympia, WA  
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Zoning Ordinance  
Adopted 1991

#### ORDINANCE NO. 9707

AN ORDINANCE amending the Thurston County Zoning Ordinance and establishing a new "McAllister Geologically Sensitive Area District" zone; adding a new Chapter 20.23, Thurston County Code, and amending Section 20.54.070.

The Board of Commissioners of Thurston County make the following findings of fact:

1. By Resolution No. H3-90, the Thurston County Board of Health on August 13, 1990 imposed new restrictions on sewage disposal and adopted other measures in the area of the McAllister aquifer east of Lacey; and
2. The purpose of these measures was to protect a vulnerable aquifer of great importance to the general public from pollution caused by increasing residential development and other activities; and
3. The Board of Health adopted Resolution H3-90 on the basis of an extensive record and with detailed findings of fact. The Board of County Commissioners takes cognizance of the studies and other materials submitted to the Board of Health in considering Resolution H3-90. The Board of Commissioners adopts findings of fact 1-15 from Board of Health Resolution H3-90.
4. Finding No. 14 of Resolution No. H3-90 states that "in order to halt the trend of increasing pollution of the McAllister aquifer, avoid the spread of disease and unsanitary conditions and prevent the creation of a public nuisance, it is necessary for the preservation of the public health, welfare and safety . . . " to adopt certain amendments to the Zoning Ordinance in the large area lying over the McAllister aquifer; and Section 4 of the Resolution set out the zoning amendments recommended by the Board of Health; and
5. The protection of valuable groundwater resources should be adopted as a countrywide policy of the Thurston County Zoning Ordinance; and
6. The zoning measures adopted by this Ordinance are necessary and appropriate to halt the trend of increasing pollution, avoid the spread of disease and unsanitary

#### ORDINANCE - 1

conditions and prevent the creation of a public nuisance, as expressed in Finding No. 14 of

Resolution H3-90. This Ordinance is a legislative enactment and is necessary to protect the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF THURSTON COUNTY as follows:

Section 1. A new chapter 20.23 is added to the Thurston County Code to read as follows:

## CHAPTER 23.23

### McALLISTER GEOLOGICALLY SENSITIVE AREA DISTRICT

Sections:

20.23.010 Purpose

20.23.020 Primary Uses

20.23.025 Special Uses

20.23.030 Design Standards

20.23.040 Additional Regulations

20.23.010 Purpose. The purpose of this district is to provide for residential, commercial, and agricultural uses of a type and density which will minimize the potential for contamination or significant loss in recharge capacity of a vulnerable groundwater aquifer and potable water source of great importance to the general public. This exercise of the police power (regulatory power) is necessary to preserve the public health, safety and welfare.

20.23.020 Primary Uses. Subject to the provisions of this title, the following uses are permitted in this district:

1. Group A. The following uses are permitted subject to staff review:

a. Single family residential.

b. Agricultural uses conducted in compliance with a farm plan developed in conformance with U.S. Soil Conservation Service guidelines and the provisions of the Report to the Thurston County Board of Health on Best Management Practices for the Use of Pesticides and Fertilizers in the McAllister Spring GSA, Thurston County Environmental Health, 1989.

c. Forestry conducted in compliance with the provisions of the report cited in 1.b., above.

d. Accessory uses subject to the standards for special uses contained in Sections 20.23.025(1) and (2).

## ORDINANCE - 2

2. Group B. The following uses are permitted within the area defined by the Short Term

Urban Growth Management Boundary established by the Urban Growth Management Agreement, 1988, contingent upon site plan review, connection to public sewer, and provision of stormwater facilities in compliance with applicable local and state requirements:

- a. Two family residential.
- b. Mobile home parks in accordance with Chapter 20.31.

20.23.025 Special Uses. Thurston County Code Section 20.54.070, Table 1, identifies the special uses permitted in this district, subject to the following exceptions:

- 1. Special uses are prohibited in this district which use, handle, or store hazardous substances or dangerous wastes as defined, listed or described in WAC 173-303-040, as amended, and other substances, solids or liquids in quantities identified by the Environmental Health Division, consistent with this WAC provision, as a risk to groundwater quality.
- 2. Special uses relying on septic tanks are prohibited if they would produce wastewater which would pose any greater risk to groundwater quality than typical domestic wastewater, as determined by the Environmental Health Division, or would produce more than four hundred and fifty (450) gallons of wastewater per five (5) acres per day.
- 3. Special uses prohibited by subsections 1 and 2 above include, but are not limited to:
  - a. The following Home Based Industries:
    - (1) Auto repair and boat repair;
    - (2) Furniture repair or refinishing;
    - (3) Carpet and upholstery cleaning businesses; and
    - (4) Pest control businesses.
  - b. The following Home Occupations:
    - (1) Dentists' and physicians' offices; and
    - (2) Barbershops and beauty parlors.

#### ORDINANCE - 3

C. All Major Energy Transmission and Generating Facilities, except electrical transmission lines and substations

20.23.030 Design Standard

1. Density:

a. Sites contained within the Short Term Urban Growth Boundary may be developed at a maximum overall density of two (2) units per acre contingent upon connection to public sewer and provision of approved stormwater facilities.

b. Sites outside of the Short Term Urban Growth Boundary and sites within this boundary without sewer and stormwater facilities may be developed at a maximum overall density of one (1) unit per five (5) acres.

2. Minimum lot size:

	Within Short Term Boundary With Sewer	All Other Areas
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- |   |                    |                    |
|---|--------------------|--------------------|
| a. conventional subdivision lot         | 12,500 square feet | 5 acres            |
| b. Cluster subdivision lot              | 7,200 square feet  | 12,500 square feet |
| c. Two family residential lot           | 25,000 square feet |                    |
| d. Two family clustered residential lot | 14,400 square feet |                    |

3. Minimum lot width:

a. Conventional subdivision lot:

(1) Interior lot: 75 feet on lots less than 5 acres, 300 feet on lots of 5 acres or more.

(2) Corner lot: 100 feet on lots of less than 5 acres, 300 feet on lots of 5 acres or more.

b. Cluster subdivision lot:

(1) Interior lot: 50 feet.

(2) Corner lot: 75 feet.

C. Cul-de-sac: 35 feet.

d. Flag lot: 20 feet.

4. Maximum building height: 35 feet.

ORDINANCE - 4

5. Minimum yard requirements:

a. Residential uses:

(1) Front yard: 50 feet to centerline, except 60 feet to centerline of arterials.

(2) Side yard: 5 feet.

(3) Rear yard: 10 feet.

b. All other structures shall have minimum yards in accordance with Chapter 20.07.030.

6. Maximum lot coverage by impervious surfaces:

a. Parcels of 5 acres or greater: 5%.

b. Lots and parcels of less than 5 acres: 60% or 10,000 square feet, whichever is less.

7. Dedication of open space:

a. Land which is divided must conform to the open space dedication requirements of Chapter 18.47 of the Subdivision Ordinance.

b. Land developed as a special use under Chapter 20.54, must dedicate ten percent (10%) to open space per the standards of Chapter 20.32.

c. That portion or tract of a cluster subdivision not occupied by individual building lots shall be permanently dedicated to community open space or forestry, except as required in a. or b., above.

d. Agricultural activities as defined in Section 20.03.040 of this code, with the exception of forestry, are not permitted in the dedicated open space.

20.23.040 Additional Regulations. Refer to the following chapters for provisions which may qualify or supplement the regulations presented above:

1. Chapter 20.32 Open Space
2. Chapter 20.34 Accessory Uses
3. Chapter 20.35 Standards Relating to Physical Limitation of Land
4. Chapter 20.36 Environmentally Sensitive Areas
5. Chapter 20.40 Signs and Lighting
6. Chapter 20.44 Parking and Loading
7. Chapter 20.45 Landscaping and Screening.

## ORDINANCE - 5

Section 2. Section 20.54.070, Thurston County Code is amended to read as follows:

20.54.070 Use-Specific Standards. The following standards apply to specific special uses and are in addition to those established in other sections of this Chapter. The zoning districts in which a special use is authorized are identified in the following Table 1.

## ORDINANCE - 6